



Consumer Federation of America

RECEIVED

JUL - 8 1993

July 8, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Petition for Reconsideration: Rate Regulation
MM Docket No. 92-266

Dear Ms. Searcy:

On June 21, 1993, The Center for Media Education, Association of Independent Video and Filmmakers, National Association of Artists' Organizations and National Alliance for Media Arts and Culture (hereinafter "CME") filed a Petition for Reconsideration of the portion of the Commission's Order¹ adopting rules for leased commercial access.

In light of the pressing time requirements placed upon the Commission to carry out numerous rulemaking proceedings, the Commission acknowledges that this important issue received only limited attention. It is clear upon review of the Commission's Order, that further comment is necessary to carry out Congress' intent to encourage greater diversity of programming and programming sources. To that end, Consumer Federation of America supports CME's call for reconsideration of the leased commercial access rules.

The Commission should solicit comment on the need to create protections to insure that noncommercial entities will have access to this cable system capacity, not just in theory, but in practice. The Commission should also clarify its authority under the 1992 Cable Act and its predecessor to invoke non-profit rates for access to this leased commercial capacity.

To facilitate proper review of how the Commission's regulations are working, parties that believe they are being treated unfairly by a cable operator must be given access to


¹ Report and Order, In the Matter of Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992, Rate Regulation, MM Dkt. 92-266, Adopted April 1, 1993, Released May 3, 1993.

044

relevant information to make their case. Finally, realistic reporting requirements must be in place for the Commission to adequately monitor the use of this capacity.

For the foregoing reasons, CFA supports CME's call for reconsideration of the commercial leased access rules, and urges the Commission to commence a rulemaking to address these important issues.

Sincerely,



Bradley Stillman
Legislative Counsel